

DISTRICT OF MASSACHUSETTS

SCANSOFT, INC.,

Plaintiff

v.

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants

C.A. No. 04-10353-PBS

**SCANSOFT'S MOTION FOR ADOPTION OF
A NEUTRAL EXPERT PROCEDURE**

At the *Markman* hearing on June 17, 2005, this Court directed the parties to select a neutral expert and then to propose a procedure designed to facilitate the expert's informed analysis of the parties' speech recognition engine source code. After that analysis, the expert will advise the Court on whether there is a good faith basis for ScanSoft's trade secret and VST's patent infringement claims.

ScanSoft now proposes a procedure for this Court's endorsement. The proposed procedure for the neutral expert's assignment is detailed in the accompanying memorandum.

CERTIFICATE UNDER LOCAL RULE 7.1

I certify that the parties' counsel conferred by telephone in a good faith attempt to resolve the subject of this motion but were unable to do so.

Dated: July 18, 2005

SCANSOFT, INC.,
By its attorneys,

/s/ Erik P. Belt

Lee Carl Bromberg, BBO # 058480

Erik Paul Belt, BBO # 558620

Lisa M. Fleming, BBO # 546148

Jack C. Schecter, BBO # 652349

Rebecca L. Hanovice, BBO # 660366

BROMBERG & SUNSTEIN LLP

125 Summer Street

Boston, Massachusetts 02110-1618

(617) 443-9292

ebelt@bromsun.com

02639/00509 418743.1